

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KAREN MOE HUMPHREYS,

No. C-04-03808 SI (EDL)

Plaintiff,

**ORDER FOLLOWING JUNE 13, 2006
DISCOVERY CONFERENCE**

v.

REGENTS OF THE UNIVERSITY OF
CALIFORNIA, et al.,

Defendants.

On June 13, 2006, the Court held a discovery conference in this case. For the reasons stated at the hearing, the Court issues the following order.

1. Defendants were not prepared at the discovery conference to argue and allow the Court to resolve legal issues such as waiver of the attorney-client privilege. Therefore, these issues will be resolved by formal motion. Plaintiff may file a motion on the regular 35-day schedule to be heard no earlier than August 8, 2006.
2. No later than June 19, 2006, Defendants shall provide to Plaintiff and file with the Court a privilege log that complies with this Court's standing discovery order. In addition, Defendants shall review their document production to date for redacted documents and shall include those on the privilege log. The parties shall meet and confer before bringing any disputes regarding the privilege log to the Court. If necessary, the Court will engage in limited in camera review of a small number of documents if Plaintiff challenges Defendants' assertion of privilege. In particular, the Court will conduct an in camera review of document number 12 on the privilege log dated December 13, 2002. Defendants shall produce that

document for in camera review no later than June 19, 2006.

3. On or before June 20, 2006, Defendants shall make available to Plaintiff for inspection and copying all Sawyers investigation documents to Plaintiff. Production is subject to the existing protective order, which does not expire for purposes of this discovery only until further Order of this Court. No later than June 20, 2006, Defendants shall also produce the Sawyers privilege log to Plaintiff.
4. Plaintiff served written discovery seeking information about alleged “sweetheart deals” made by Defendants under which certain UC employees were given lucrative contracts but did not have to work. No later than June 14, 2006, Defendants shall provide any and all documents pertaining to the nature and scope etc., of any work that Mr. Stephens has done for Defendant U.C. Regents since leaving his full-time employment. Defendants state that they have otherwise fully responded to this discovery. After production of the Stephens document, Plaintiff may propound a request for admission on Defendants seeking an admission that other than the settlement agreements already produced and documents, if any, produced on this topic, there is no other documentation pertaining to work done under so-called “sweetheart deals.”
5. The Court will address any sanctions issue through regularly noticed motion.
6. Plaintiff seeks all documents from the following University server paths: s/complaint resolution/cases/ICA; s/complaint resolution/ICA and s:\Complaint Resolution\Cases\Athletics\ICA action plan drt 4-14.doc. Plaintiff’s entitlement to these documents depends at least in part on resolution of the waiver issue, which will be decided after further briefing. However, as written, the request for these documents is overbroad. In the meantime, Defendants shall preserve the contents of those server paths. Plaintiff shall provide an explanation to Defendants as to where they obtained these particular server paths. Defense counsel shall find out how those server paths can be searched, for example, whether there is an index for the server paths or whether those paths can be searched using search terms, and inform Plaintiff.
7. Defendants shall search Michael Smith’s and Jeffrey Blair’s files for any Gender Equity

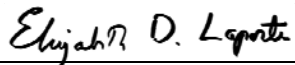
1 Committee notes, Executive Team meeting notes predating January 8, 2003, and Executive
2 Team notes between April 16 and June 6, 2004.

3 8. The parties shall meet and confer in an effort to stipulate to the authenticity of documents
4 that Plaintiff wishes to offer at trial. If Defendants will not stipulate to the authenticity of the
5 documents, Plaintiff has the right to obtain the original documents. The parties shall meet
6 and confer in an attempt to identify handwriting on relevant trial documents.

7 9. Future meet and confer sessions shall be transcribed either by a court reporter or through
8 audio tape. If the Court is not in session, the parties may hold meet and confer sessions in the
9 courtroom using the Court's audio recording equipment and the Court will have an extern
10 attend the meet and confer session if available.

11 **IT IS SO ORDERED.**

12 Dated: June 15, 2006



ELIZABETH D. LAPORTE
United States Magistrate Judge